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AO 455 (Rev. 5/85) Waiver of Indictment

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

MARCELINO ARMANDO GUTIERREZ-ANDRADE

WAIVER OF INDICTMENT

CASE NUMBER: 08CR 2941-BTM

I, MARCELINO ARMANDO GUTIERREZ-ANDRADE, the above-named defendant, who is accused of committing the following offense:

Bringing in Illegal Aliens Without Presentation and Aiding and Abetting, in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii) and Title 18, United States Code, Section 2 (Felony),

being advised of the nature of the charge, the proposed information, and of my rights, hereby waive in open court on 9/2/08 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

Marcelino Gutierrez
Defendant

[signature]
Defense Counsel

Before [signature]
Judicial Officer

FILED
SEP - 2 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY MB DEPUTY